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OFFICE OF PETITIONS

In re Application of
Judy C. Young, et al.
Application No. 09/237,291
Filed: January 25, 1999
Attorney Docket No. SYS-2068

ON PETITION

This is a decision on the petition, filed September 25, 2007, which is being treated as a petition under 37 CFR 1.181 (no fee) requesting withdrawal of the holding of abandonment in the above-identified application.

There is no indication that the petition is signed by a registered patent attorney or patent agent of record. However, in accordance with 37 CFR 1.34, the signature of Mr. Todd A. Lorenz appearing on the correspondence shall constitute a representation to the United States Patent and Trademark Office that he is authorized to represent the particular party on whose behalf he acts. If, Mr. Lorenz desires to receive correspondence regarding this file, the appropriate power of attorney documents must be submitted. A courtesy copy of this decision is being mailed to Mr. Lorenz, the petitioner herein. However, until otherwise instructed, all future correspondence regarding this application file will be directed solely to the above-noted correspondence address of record.

The petition is **GRANTED**.

The application was held abandoned for failure to timely respond to the final Office action mailed July 26, 2006. A Notice of Abandonment was mailed on June 26, 2007. In response, on September 25, 2007, the present petition was filed.

Petitioner asserts that a timely response to the Office action of July 26, 2006 was submitted in the form of a Request for Continued Examination (RCE), with an appropriate 3-month petition for extension of time, on January 26, 2007. Accordingly, petitioner request that the abandonment be withdrawn.

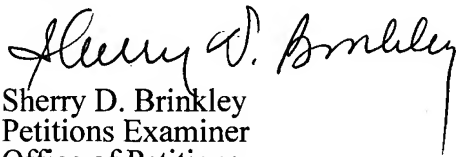
A review of the written record confirms that a timely RCE under 37 CFR 1.114 was filed on January 26, 2007. Consequently, no abandonment existed. The holding of abandonment is hereby withdrawn and the application is restored to pending status.

The Notice of Abandonment mailed June 26, 2007, is **vacated**

It is noted that a \$400 petition fee accompanied the response filed January 26, 2007. As this petition fee appears to be unnecessary, the \$400 petition fee is being credited to counsel's deposit account as authorized.

The application is being referred to Technology Center AU 1632 for further processing of the request for continued examination under 37 CFR 1.114 filed January 26, 2007.

Telephone inquiries concerning this decision may be directed to the undersigned at (571) 272-3204. All other inquiries regarding this application should be directed to the Technology Center.



Sherry D. Brinkley
Petitions Examiner
Office of Petitions

cc: TODD A. LORENZ
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